



# Department of Justice

## Central District of Illinois

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CONTACT: SHARON PAUL  
PHONE: (217) 492-4450

### **FORMER TAMIMI GLOBAL EXECUTIVE CONVICTED OF WITNESS TAMPERING FOLLOWING REINSTATEMENT OF CHARGES**

Rock Island, Ill. – The former Director of Operations in Kuwait and Iraq for Tamimi Global Company, a Saudi Arabian company, Mohammad Shabbir Khan, has been convicted of witness tampering and conspiracy to commit witness tampering. The verdict followed a one-day bench trial before U.S. District Judge Joe B. McDade on August 10, 2009. During a status hearing on August 11, 2009, Judge McDade ruled that Khan remain in the custody of the U.S. Marshals Service pending sentencing which will be scheduled at a later date.

In June 2006, a grand jury returned a 16-count indictment charging Khan with 12 counts of wire fraud, and one count each of money laundering, making a false statement, witness tampering conspiracy and witness tampering. On June 26, 2006, pursuant to a written plea agreement, Khan pled guilty to all counts except the two pertaining to witness tampering. On December 8, 2006, Khan was sentenced to serve 51 months in federal prison, and the two witness tampering counts were dismissed on the government's motion pursuant to the plea agreement.

On October 29, 2008, the government filed a motion with the court to void the plea agreement alleging that Khan had breached the terms of the plea agreement. In the motion, the government alleged that Khan transferred several millions of dollars in foreign bank accounts at Dubai in the United Arab Emirates and elsewhere to his brother in Pakistan, rather than to his attorney in Chicago, Illinois, as was required by his plea agreement. Terms of the plea agreement required Khan to transfer assets valued at \$5,000 or more that he owned or otherwise controlled outside the U.S. to the U.S. and into the trust and control of his attorney.

On April 1, 2009, Judge McDade reinstated the two witness tampering counts of the indictment after finding that the government had proven that Khan substantially breached the terms of the plea agreement by causing the transfer of the funds in his Dubai bank accounts to his brother's account in Pakistan.

Khan had previously admitted to paying kickbacks of \$133,000 to a Kellogg, Brown & Root Services, Inc. (KBR) employee to secure two military dining subcontracts valued at \$21.8 million for Tamimi Global Company for military dining facilities: a \$14.4 million dollar subcontract at Camp Arifjan, Kuwait, and a subcontract of \$7.4 million dollars at a palace in Baghdad, Iraq. Khan had also pled guilty to the money laundering conspiracy and false statement offenses related to a scheme by Khan and another former Tamimi manager to cover up the kickback payments Khan had made to the former KBR employee. The former employee has pleaded guilty in the Central District of Illinois.

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Evidence presented by the government at trial on August 10, 2009, included a meeting on October 28, 2005, in London, England, between Khan, the other Tamimi manager, Zubair Khan, and the KBR employee. During the meeting, the KBR employee was provided with a story to cover up the kickback payments previously paid to him and that was consistent with what the Tamimi employees had previously told federal authorities. Zubair Khan remains a fugitive.

LOGCAP (Logistics Civil Augmentation Program) is a U.S. Army program that uses civilian contractors to support the logistical needs of the U.S. military forces. In December 2001, the U.S. Army Operations Support Command, with headquarters at the Rock Island Arsenal in Rock Island, Illinois, awarded the LOGCAP III prime contract to KBR. The Army Field Support Command, also at the Rock Island Arsenal, administered the contract.

Investigative agencies participating in this criminal investigation include the Federal Bureau of Investigation, Springfield Division; the Internal Revenue Service Criminal Investigation Division, Chicago Field Office; the Defense Criminal Investigative Service, Central Field Office, St. Louis, Mo.; the U.S. Army Criminal Investigation Command, North Central Fraud Field Office, Detroit, Mich.; and, New Scotland Yard Metropolitan Police Service.

The case was prosecuted by Assistant U.S. Attorney Matthew J. Cannon of the Central District of Illinois, and Joseph A. Capone, Trial Attorney, U.S. Department of Justice, Criminal Division, Fraud Section.

The prosecution represents the Department of Justice's commitment to protect U.S. taxpayers from procurement fraud through its creation of the National Procurement Fraud Task Force. The National Procurement Fraud Initiative announced in October 2006 is designed to promote the early detection, identification, prevention and prosecution of procurement fraud associated with the increase in contracting activity for national security and other government programs.

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